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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,397	12/21/2001	Patrick Zuili	2222.5600000	3617
26111 7590 11/17/2008 STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				
EXAMINER PYZOCHE, MICHAEL J				
ART UNIT		PAPER NUMBER		
2437				
MAIL DATE		DELIVERY MODE		
11/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/028,397

Applicant(s)

ZULI, PATRICK

Examiner

MICHAEL PYZOSHA

Art Unit

2437

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 40 is/are pending in the application.
- 4a) Of the above claim(s) 7-9 and 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-12, 16-22 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
- Paper No(s)/Mail Date 10/31/08
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-22 and 40 are pending with claims 7-9 and 13-15 withdrawn from consideration.
2. Response filed 10/14/2008 has been received and considered.

5 .

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 10/31/2008 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

10

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

15 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 20 5. Claims 1-6, 16, 20-22 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adobe Acrobat 5.0 released 12 March 2001 as evidenced by "Adobe Acrobat 5.0 User's Guide for Chambers" in view of Kobata et al. (US 20020077985).

As per claims 1, 16, and 40, Adobe discloses the functionality for a method for restricting use of a clipboard application by a method, the method comprising: receiving
25 a copy selection associated with designated content of a source file being displayed by a first source application (see page 17 where Acrobat is the first application); b)

determining whether the source file is a secured file (see page 28, where requiring a password to access a document makes it secure and the determining step must be performed in order to know whether to ask for a password), where the secured file cannot be accessed without a priori knowledge (see pages 28 and 29 where the password is required to access the file); c) preventing copying of content (see pages 28 and 29 where the check box for "No Content Copying or Extraction, Disable Accessibility" prevents the copying); Adobe further discloses the ability for copying from Acrobat and pasting to a second destination application (see pages 17 and 18 where WordPerfect is the destination application).

Adobe fails to explicitly disclose preventing subsequent usage of the designated content in a second destination application via the clipboard application when the determining determines that the source file is a secured file.

However, Kobata et al. teaches preventing cut/paste (i.e. clipboard) operations from being used to copy a protected document into another application (see paragraph [0222]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the Kobata et al. method of preventing clipboard operations for secure documents to prevent copying from a secured PDF to an unsecured Word perfect document.

Motivation to do so would have been to allow for carefully controlled and managed distribution of digital content (see Kobata et al. paragraph [0222]).

As per claims 2-4, the modified Adobe and Kobata et al. system discloses receiving a copy and paste selection to provide the designated content to the destination application (see Adobe pages 17 and 18, numerals 1-6).

As per claims 5-6 and 21-22, the modified Adobe and Kobata et al. system
5 discloses said determining operates to determine that the source file is a secured file based on security information provided by the source application (see Adobe pages 28-30).

As per claim 20, the modified Adobe and Kobata et al. system discloses permitting storage of the designated content to the clipboard application when the
10 determining determines that the source file is not a secured file (see Adobe pages 17 and 18).

6. Claims 10-12 and 17-19 rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Adobe and Kobata et al. system as applied to claims 1 and 16 above, and further in view of Blank et al. (US 20030037253).

15 As per claims 10, 17, and 18, the modified Adobe and Kobata et al. system fails to disclose storing alternate content to the clipboard application in place of the designated content when said determining determines that the source file is a secured file.

However, Blank et al. teaches replacing information on a clipboard with
20 alternative predetermined content when the file is a secure file (see paragraphs [0046] and [0032]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to store alternate content in the clipboard when the source file is the secure file of the modified Adobe and Kobata et al. system.

Motivation to do so would have been control the degree of access the public has
5 to data (see paragraph [0007]).

As per claims 11-12 and 19, the modified Adobe, Kobata et al. and Blank et al. system discloses storing the designated content to the clipboard application when said determining determines that the source file is not a secured file (see Adobe pages 17 and 18).

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Response to Arguments

7. Applicant's arguments with respect to claims 1-6, 16, 20-22 and 40 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments filed 05/28/2008 have been fully considered but they are
15 not persuasive. Applicant argues that there is no evidence to the release date of Adobe Acrobat 5.0 and that Blank does not have support in its provision for the relied upon portions.

With respect to Applicant's argument that no evidence has been given for the release date, a printout from Amazon.com clearly shows (see page 2) the date supplied
20 in the rejection.

With respect to Applicant's argument that Blank does not have support in its provision for the relied upon portions, paragraph [0032] is found on page 9 lines 5-12 of

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the provisional and paragraph [0046] is found on page 11 line 10 through page 12 line 13 of the provisional.

Conclusion

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PYZOCHA whose telephone number is (571)272-3875. The examiner can normally be reached on Monday-Thursday, 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

20 /Michael Pyzocha/
Examiner, Art Unit 2137